

Exhibit A



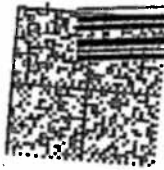
Clerk of Kanawha County Circuit Court

111 Court Street, Judicial Building
Charleston, West Virginia 25301

RETURN RECEIPT REQUESTED
RESTRICTED DELIVERY



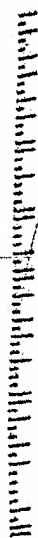
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AVI Foodsystems, Inc
2590 Elm Rd NE
Marietta OH
44483
RETURN RECEIPT REQUESTED
RESTRICTED DELIVERY

44483\$2997



CIRCUIT COURT OF KANAWHA COUNTY, WEST VIRGINIA

CHRISTOPHER SALDIVAR

Case No. 11-C-870

100 J FACULTY CIRCLE

King

DUNBAR, WV 25064 Plaintiff

v.

AVI FOODSYSTEMS, INC

2590 ELM RD NE

WARREN, OHIO 44483 Defendant

SUMMONS

To the above-named Defendant:

IN THE NAME OF THE STATE OF WEST VIRGINIA, you are hereby summoned and required to serve upon CHRISTOPHER SALDIVAR plaintiff's attorney, whose address is 100 J FACULTY CIRCLE an answer, including any related counterclaim you may have, to the complaint filed against you in the above styled civil action, a true copy of which is herewith delivered to you. You are required to serve your answer within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint and you will be thereafter barred for asserting in another action any claim you may have which must be asserted by counterclaim in the above styled civil action.

Dated: May 26, 2011

Cathy S. Watson
Clerk of Court

By: C. Woods
Deputy Clerk

IN THE CIRCUIT COURT OF KANAWHA COUNTY, WEST VIRGINIA

CHRISTOPHER SALDIVAR,
Complainant

Vs.

AVI Foodsystem, Inc. WVSC Culinary Services
RESPONDENT

11-C-870
King

FILED
2011 MAY 26 PM 1:53
CLERK
KANAWHA COUNTY CIRCUIT COURT

COMPLAINANT'S COMPLAINT

Complainant, Christopher Saldivar hereinafter referred to as Complainant, acting on his own stead and files this Original Complaint against Defendants: AVI Foodsystem, Inc. WVSC Culinary Services and for causes of action would respectfully show the Court as follows:

I. PARTIES

Complainant is a resident of the State of West Virginia, county of Kanawha. Christopher Saldivar is a Mexican male over the age of forty years.

The defendant is a corporation doing business in the state of West Virginia.

II. FACTS

Complainant, Christopher Saldivar is a former employee of AVI Foodsystem, Inc. WVSC Culinary Services at Institute, West Virginia.

Complainant states that he was subjected to discriminated based upon his race, color, and national origin within the meaning of Title VII and the laws of West Virginia.

Until his termination on or about March 28, 2010. At the time of his termination, complainant held the position of Retail Manager., Mr. Saldivar has been subjected to acts of Racial Discrimination in his place of employment.

Mr. Saldivar cites, as his last incident of racial discrimination, the respondent's unlawful termination of his employment on March 28, 2010.

Mr. Saldivar further states that his termination was during the time of elevated hostile environment created by the countrywide issue of immigration reform.

The Complainant was wrongfully discharged from his employment on the pretext that he committed an infraction against the company

Respondent falsely accused claimant of distributing drugs while on the job and discharged him without the benefit of a hearing or written or verbal warning.

As a part of their reason for terminating complainant, Respondent utilized a falsely induced statement of an individual who had no comprehension of reading or writing.

Complainant states that although he was innocent, respondent has treated white employees who committed more serious infractions with the option of transferring to another location.

Defendant wrongfully discharged, Mr. Saldivar, a Mexican-American citizen, based upon unsubstantiated allegations of possession or consumption of illegal drugs on company premise, as well as the unlawful sale of drugs.

Complainant's distribution of an Advil while off company premises was not an illegal act of possession or consumption, nor distribution of illegal drugs.

Complainant was wrongfully discharged in that he was denied his due process rights of access to grievance procedures.

Complainant was defamed in his character and reputation and stigmatized as a drug dealer has impacted upon his mental and emotional state of being.

Said defamation as interfered in his ability to gain meaningful employment.

Respondent failed to notify defendant of his rights pursuant to its alleged Handbook or any other documents.

III. CAUSES OF ACTION

Complainant reasserts each allegation and facts stated above.

Complainant, Christopher Saldivar is a Mexican-American male within the meaning of Title VII and the laws of the State of West Virginia

Complainant worked for the respondent corporation as a Retail Manager.

Complainant was subjected to racial discrimination in violation of the laws of West Virginia, Title VII and the Race Discrimination Act of 1976.

Respondent damaged Christopher Saldivar in his reputation and character.

Said defamation of character resulted in Mr. Saldivar's being subjected to hostile treatment by individuals throughout his community.

.PRAYER FOR RELIEF

WHEREFORE, the complainant prays this Honorable Court for relief as follows:

1. Injunctive relief and restraining the respondent from engaging in unlawful discrimination in the future.
2. Damages for emotional distress and trauma

3. As the defendants' conduct was willful, reckless and/or Wanton, punitive damages sufficient to deter the defendant from engaging in such conduct in the future and sufficient to punish defendant for their actions against the complainant.

4. Damages and compensation for defamation of character and reputation.

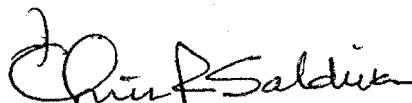
5. Back pay with interest

6. Reinstatement of employment

7. Any and all relief such as is necessary to make the Complainant whole;

8. Any and all further relief to which the complainant may be entitled to either in law or in equity

A JURY TRIAL IS DEMANDED.



Respectfully submitted
CHRISTOPHER SALDIVAR
PER SE.

VERIFICATION OF PLEADINGS

I, CHRISTOPHER SALDIVAR the Petitioner in the foregoing
after being duly sworn, upon oath, says the facts and allegations contained
herein are true, except insofar as they are therein stated to be upon information
and belief, and insofar as they are stated to be upon information and belief,
believes them to be true.

Chris R. Saldivar

Taken, subscribed to and sworn before me this 25th day of

May, ~~2010~~ 2011

My Commission expires: Nov. 18, 2020

Barbara J. Rowell
NOTARY PUBLIC

